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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,392	01/15/2005	Yuval Aflalo		2195
24271	7590	06/28/2006	EXAMINER	
JOHN ALEXANDER GALBREATH 2516 CHESTNUT WOODS CT REISTERSTOWN, MD 21136			KARIKARI, KWASI	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/521,392	AFLALO ET AL.
	Examiner Kwasi Karikari	Art Unit 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 April 2006.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 22-38 is/are pending in the application.

4a) Of the above claim(s) 19-21 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 22-38 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- 1.) Certified copies of the priority documents have been received.
- 2.) Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

**DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617
2. Claims 1-18 have been canceled and claims 19-21 have been withdrawn.
3. Claims 22- 38 have been added.
4. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection in regards to claims 22-38.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 22 and 37 recites the limitations "the first unit" and "the second unit" in claim 22 and the limitations "the list of microwave antenna" in claim 37. There are insufficient antecedent basis for these limitations in the claims. For examination purposes the Examiner would interpret "the first unit" and "the second unit" as the modified telephones of the first and second users as understood from the Applicant's specification. Appropriate corrections are required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 22-31,33,36 and 38 are rejected under U.S.C. 103(a) as being unpatentable over Cousins (U.S. 6,799,035), (hereinafter Cousins) in view of Oprescu-Surcobe et al., (U.S. 5,842,130), (hereinafter Surcobe).**

Regarding claims 22 and 38, Cousins discloses directional dialing cellular telephone system/method (see Fig. 2) including,

two cellular telephone units (Transponders 10 and 20 disposed within a cellular phone, see col. 1, lines 16-49), substantially sharing data (transmission of packet information such as email address or user name, see col. 1, lines 41-49) wherein, the first unit (transponder 10) has a directional antenna interfaced thereto (antenna 34, see col. 3, lines 22-41 and Fig. 2) and the directional antenna is pointed at the second unit (transponder 20, see col. 3, lines 41-54 and Fig. 6, step 100), and a first software application means for sending a signal from the directional antenna to second unit (first user 5, using transponder 10 to transmits packet information to the second user with transponder 20, see col. 3, lines 41-54; whereby the process involving transmitting of packets by transponder 10 to the transponder 20 is associated with the "a software application means for sending a signal") and

the second unit (transponder 20) has an omni-directional antenna (antenna 34) interfaced thereto and the omni-directional antenna is configured with means for receiving the signal from the directional antenna of the first user unit (second user 15 with transponder 20 receives packet information from via antenna 34, see col. 3, lines 41-54), and a second software application means for sending an acknowledgement of the received signal to the first unit (transponder 20 sends a signal back to transponder 10 to indicate the receipt of information, see col. 3, lines 4, lines 36-62; whereby the process involving the transmission of indication of receipt of packet by transponder 20 is associated "a second software application means for sending an acknowledgement").

However Cousins fails specifically, to disclose that the first and second cellular units are respectively "part of a cellular telephone subscriber community and the communication between the first and second cellular units are via at least one mutual common service providers".

Surcobe teaches a communication system 200 which includes mobile stations 216-218 that communicates via base stations 298, 294 and 291 and mobile switching center 260 (see col. 11-30 and Fig. 1; whereby the base station and mobile switch center are associated with "the subscriber community with common service provider"). It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Surcobe into the system of Cousins for the benefit of achieving a communication system that includes a base station and a mobile switch center (see Figs. 1 and 3).

Regarding claim 23, as recited in claim 22, Cousins discloses an iterative activation events are terminated upon receipt of the acknowledgement (see col. 4, lines 36-63); but fails to disclose the system, wherein the first software includes iterative activation events whereby a first activation event has a predetermined lowest power transmission on the directional antenna, and each subsequent activation has a predetermined higher power transmission than its respective predecessor activation event.

Surcobe teaches wherein the first software includes iterative activation events, whereby a first activation event has a predetermined lowest power transmission (custom mobile 319 initiates search sequence, to identify the unique identity of target mobile 217, by enabling activation device 323 and transmits narrow beam 328 towards target mobile 217, see col. 5, lines 11-17) on the directional antenna, and each subsequent activation has a predetermined higher power transmission than its respective predecessor activation event (narrow beam signal 328 has the strongest signal strength at angle P-S-Q and the signal gradually fades towards zero at angles M-S-P and Q-S-N, see col. 5, lines 44-57 and Fig. 4 that depicts an ideal spatial distribution of signal strength, energy at a given distance from S, see col. 6, lines 26-45).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Surcobe into the system of Cousins for the benefit of achieving a communication system that includes a base station and a mobile switch center (see Figs. 1 and 3).

Regarding **claim 24**, as recited in claim 22, Cousins fails to disclose system, wherein the subscriber community includes a plurality of paying members.

Surcobe teaches wherein the subscriber community includes a plurality of paying members (mobile stations communicate with base station in the wireless communication system 200, see col. 3, lines 11-30 and Fig. 1).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Surcobe into the system of Cousins for the benefit of achieving a communication system that includes a base station and a mobile switch center (see Figs. 1 and 3).

Regarding **claim 25**, as recited in claim 24, Cousin fails to disclose the system, wherein members of the community are registered at a data warehousing facility that is accessible via a service provider of the at least one mutual common service provider.

Surcobe teaches wherein members of the community are registered at a data warehousing facility (MSC or associated Local Registers) that is accessible via a service provider of the at least one mutual common service provider (mobile registration is implemented at MSC via BTS 294, see col. 3, lines 53-65.).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Surcobe into the system of Cousins for the benefit of achieving a communication system that includes a base station and a mobile switch center (see Figs. 1 and 3).

Regarding **claim 26**, as recited in claim 22, the combination of Cousin and Surcobe do not specifically teach the directional dialing cellular telephone system, wherein the second unit is characterized by colorful markings that are visible at a distance.

However, Cousins teaches that the transponders 10 and 20 have light indicator (see col. 3, lines 36-54 and Fig. 1A). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to utilize Cousins's teaching to achieve a device with light indicators (see col. 3, lines 36-54 and Fig. 1A).

Regarding **claim 27**, as recited in claim 22, the combination of Cousin and Surcobe do not specifically teach that the directional dialing cellular telephone system, wherein the second unit is characterized by at least one illumination component that is visible at a distance.

However, Cousins teaches that the transponders 10 and 20 have light indicator (see col. 3, lines 36-54 and Fig. 1A). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to utilize Cousins's teaching to achieve a device with light indicators (see col. 3, lines 36-54 and Fig. 1A).

Regarding **claim 28**, as recited in claim 27, Cousins discloses the directional dialing cellular telephone system, wherein at least one of the illumination components is modulated (transponders 10 and 20 have light indicator, see col. 3, lines 36-54 and Fig. 1A).

Art Unit: 2617

Regarding **claim 29**, as recited in claim 22, the combination of Cousin and Surcobe do not specifically teach that the directional dialing cellular telephone system, wherein the acknowledgement is via a predetermined media format selected from the list: SMS, GPRS, Data Call and WAP.

However, Cousins teaches that the transponder 20 sends a signal back to transponder 10 to indicate the receipt of information (see col. 3, lines 4, lines 36-62). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to utilize Cousins's teaching to achieve a system whereby an indication the receipt of information is transmitted to users using SMS, GPRS, Data Call or WAP.

Regarding **claim 30**, as recited in claim 22, Cousins teaches an acknowledgement from transponder 20 to transponder 10 (see col. see col. 3, lines 4, lines 36-62); fails to teach that the acknowledgement includes "recognizable telephone number associated with the second unit".

Surcobe teaches that mobile phone 216 is assigned unique identification such as the phone number that is use for tracking and billing (see col. 4, lines 16-31).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Surcobe into the system of Cousins for the benefit of achieving a communication system that includes a base station and a mobile switch center (see Figs. 1 and 3).

Regarding **claim 31**, as recited in claim 22, Cousins discloses directional dialing cellular telephone system, wherein the acknowledgement spans at least one bilateral information packet interchange (transmitting packet information including email address between transponders, creating interaction between stranger, col. 4, lines 36-62).

Regarding **claim 33**, as recited in claim 31, Cousins discloses directional dialing cellular telephone system, wherein the interchange includes at least one datum of information relating to a personal preference of the respective users (exchange of email address, see col. 4, lines 36-63).

Regarding **claim 36**, Cousins discloses a directional dialing cellular telephone system (see Figs. 1 and 4) enabled device including

a cellular telephone unit (transponder 10) having a directional antenna (antenna 34) interfaced thereto, a first software application means for sending a signal (first user 5, using transponder 10 to transmits packet information to the second user with transponder 20, see col. 3, lines 41-54; whereby the process involving transmitting of packets by transponder 10 to the transponder 20 is associated with the "a software application means for sending a signal") from the directional antenna to some other unit (transponder 20),

an omni-directional antenna (antenna 34) configured with means for receiving a signal from a directional antenna of another unit (transponder 20), and a second software application means for sending an acknowledgement of a received signal to the

another unit (transponder 20 sends a signal back to transponder 10 to indicate the receipt of information, see col. 3, lines 4, lines 36-62; whereby the process involving the transmission of indication of receipt of packet by transponder 20 is associated "a second software application means for sending an acknowledgement") and software applications is interfaced to at least one SIM card or to at least one supplemental memory media (memory unit 58, col. 3, lines 66- col. 4, line 2); but fails to disclosed wherein at least one of the and communication is via a mutual common service provider.

Surcobe teaches a communication system 200 that include mobile stations 216-218 that communicates via base stations 298, 294 and 291 and mobile switching center 260 (see col. 11-30 and Fig. 1; whereby the base station and mobile switch center are associated with "the service provider").

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Surcobe into the system of Cousins for the benefit of achieving a communication system that includes a base station and a mobile switch center (see Figs. 1 and 3).

7. **Claims 32,34, 35 and 37 are rejected under U.S.C. 103(a) as being unpatentable over Cousins in view of Surcobe and further in view of Shapira (U.S. 5,086,394), (hereinafter Shapira).**

Regarding **claim 32**, as recited in claim 31, the combination of Cousins and Surcobe fail to disclose directional dialing cellular telephone system, wherein acknowledgment is restricted to a “mutually agreeable class of service and parameters defining classes of service are selected from the list: user rank, user profile component user a user affiliation, current activation status, price, and arbitration convention”.

Shapira teach directional dialing cellular telephone system, wherein acknowledgment is restricted to a “mutually agreeable class of service (introduction system, see col. 5, lines 18-31 and Fig. 1), and parameters defining classes of service are selected from the list: user rank, user profile component user a user affiliation (religious affiliation, see col. 5, lines 18-31), current activation status, price, and arbitration convention.

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Shapira with the system of Cousins and Surcobe for the benefit of achieving a communication system that enables compatible partner to contact one another (see col. 7, lines 17-53).

Regarding **claim 34**, as recited in claim 31, the combination of Cousins and Surcobe fail to disclose directional dialing cellular telephone system, wherein the “respective users authorize an accessible data storage facility to release predetermined datum to the respective other user, and the datum is selected from the list: alpha-numeric content, audio content, visual content multi-media content”.

Shapira teach directional dialing cellular telephone system, wherein the respective users authorize an accessible data storage facility (local control 16 may have a computer storage capacity for storing and evaluating data pertaining to all participants, see col. 7, lines 17-27) to release predetermined datum to the respective other user (participants), and the datum is selected from the list: alpha-numeric content, audio content visual content multi-media content (an alphanumeric display or the first name of the other party may appear, see col. 8, line 52- col. 9, line 19).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Shapira with the system of Cousins and Surcobe for the benefit of achieving a communication system that enables compatible partner to contact one another (see col. 7, lines 17-53).

Regarding **claim 35**, as recited in claim 34, the combination of Cousins and Surcobe fail to disclose the directional dialing cellular telephone system, wherein the release is according to at least one respective user specified approval for the release of a next at least one datum.

Shapira teach directional dialing cellular telephone system, wherein the release is according to at least one respective user specified approval for the release of a next at least one datum (first name of the other party may appear, see col. 8, line 52- col. 9, line 19).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Shapira with the system of Cousins and Surcobe for the benefit

of achieving a communication system that enables compatible partner to contact one another (see col. 7, lines 17-53).

Regarding **claim 37**, as recited in claim 36, the combination of Cousins and Surcobe fail to teach the directional dialing cellular telephone system wherein the directional antenna is selected from the list microwave antenna, ultrasound transducer, and infra-red transducer.

Shapira teaches the directional dialing cellular telephone system wherein the directional antenna is selected from the list microwave antenna, ultrasound transducer, and infra-red transducer (see col. 7, lines 12-16).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Shapira with the system of Cousins and Surcobe for the benefit of achieving a communication system that enables compatible partner to contact one another (see col. 7, lines 17-53).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Widgeren et al. (U.S. 5,890,064)** teaches a mobile telecommunications network having integrated wireless office system.

**O' Neil et al. (U.S. 5,963,864)** teaches method and system for automatic connection telephone calls to multiple device having different directory numbers.

**Harlow et al., (U.S. 5,206,901)** teaches a method and apparatus for alerting multiple telephones for an incoming call.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

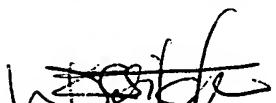
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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